

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Timothy G. Laske et al.

Examiner:

Serial No.: 10/782,420

Group Art Unit: 3762

Filed: February 19, 2004

Atty. Docket No.: P-10756.02

Title: PACING METHOD

**PETITION IN RESPONSE TO NOTICE OF MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

Mail Stop MISSING PARTS  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b), applicants are enclosing three (3) sheets of drawings (Figs. 14-16B). Applicants maintain that the drawing sheets with these figures were submitted along with the other drawings and the application at the time of filing.

Enclosed for the Examiner's review, in addition to the drawing sheets in question, is a copy of the transmittal for filing the application, as well as the return postcard with the PTO date-stamp indicating that twenty-five (25) sheets of drawings were received with the application.

Applicants authorize Examiner to charge Deposit Account 13-2546 \$130.00 for the Petition fee. It is our understanding that this fee will be refunded by the PTO, in light of the above. A duplicate of this request is enclosed herewith.

Having contended that all items listed on the transmittal and the return postcard, applicants respectfully request entry and examination of this application in its entirety.

Respectfully submitted,

TIMOTHY G. LASKE ET AL.

August 9, 2004  
Date

EL Belden  
Elisabeth L. Belden  
Reg. No. 50,751  
(763) 514-4083  
Customer No. 27581

**Medtronic**

# Facsimile Cover Sheet

P-10756.02

**To:** Office of Initial Patent  
Examination**Company:** U.S. Patent and Trademark Office**Phone:****Fax:** 703 746 4060**From:** Elisabeth L. Belden**Company:**  **Medtronic****Phone:** 763 514 4083**Fax:** 763 505 2530**Date:** August 9, 2004**Pages including this  
cover page:** 13

**Comments:** RE: P-10756.02  
Serial No. 10/782,420  
Applicants: Timothy G. Laske et al.  
Filed: February 19, 2004  
Title: Pacing Method

Attached please find the following documents:

- X Response to Notice to File Missing Parts of Nonprovisional Application
- X Signed Combined Declaration and Power of Attorney
- X Notice to File Missing Parts of Nonprovisional Application - Part 2
- X Petition in Response to Notice of Missing Parts
- X Copy of Patent Application Transmittal
- X Copy of return postcard with PTO date-stamp

IF TELECOPY IS ILLEGIBLE OR ALL PAGES HAVE NOT BEEN RECEIVED, PLEASE CONTACT SUE MCCOY AT TELEPHONE (763) 514-8662 IMMEDIATELY.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ON THIS TRANSMITTAL FORM. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS LISTED ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

AUG. 9.2004 9:25AM

7635146982 MEDTRONIC

NO. 1700 P. 2/13

DOCKET NO.: P-10756.02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**MISSING PARTS TRANSMITTAL**



In re Application of: Timothy G. Laske et al.  
For: Pacing Method  
Serial No.: 10/782,420  
Filed: February 19, 2004

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8:** I hereby certify that this **MISSING PARTS** and the paper(s), as described herein, are being sent via facsimile No. (703) 746-4060, addressed to the Commissioner for Patents, Mail Stop Missing Parts, on this 9<sup>th</sup> day of August, 2004.

Signature

Sue McCoy  
Printed Name

Mail Stop Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- X Response to Notice to File Missing Parts of Nonprovisional Application
- X Signed Combined Declaration and Power of Attorney
- X Notice to File Missing Parts of Nonprovisional Application - Part 2
  
- X Please charge Missing Parts surcharge of \$130.00 to Deposit Account No. 13-2546.
- X Please charge Petition fee of \$130.00 to Deposit Account No. 13-2546.
- ☐ Applicant hereby petitions for a \_\_\_\_\_ months' extension of time. If an additional extension of time is required, please consider this petition therefor.
- X Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.
- X Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Missing Parts Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

Date

August 9, 2004

EJ Belden  
Elisabeth L. Belden  
Reg. No. 50,751  
Telephone: (763) 514-4083  
Customer No. 27581

AUG. 9.2004 9:27AM 7635146982 MEDTRONIC

NO. 1700 P. 11/13

ATTORNEY DOCKET NO.: P-10756.02  
Express Mail Label No.: EV 331 792 271 US

PATENT  
Total Pages

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UTILITY PATENT APPLICATION TRANSMITTAL

FIRST NAMED INVENTOR OR APPLICATION IDENTIFIER: Timothy G. Laske et al.  
TITLE: IMPROVED PACING METHOD

EV331792271US

CERTIFICATE UNDER 37 CFR §1.10: I hereby certify that this Utility Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service, in an envelope addressed to: Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
\*EXPRESS No. EV 331 782 271 US, on this 19<sup>th</sup> day of February, 2004.

Sue McCoy  
Printed Name

Signature

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir,

We are transmitting herewith the attached:

X Patent Application Transmittal

X Specification:

Total pages: 23 (including claims and abstract: Spec. 20 sheets; Claims 2 sheets; Abstract 1

X Drawings:

Total sheets: 25

☐ formal ☒ informal

☒ Combined Declaration and Power of Attorney:

☒ unexecuted

☐ copy from prior application

☐ Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b))

☐ Incorporation by Reference - The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied above is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

X Accompanying application parts:

☐ Notification of filing a

☐ Assignment of the Invention to Medtronic, Inc.

☐ Assignment cover sheet

☐ Information Disclosure Statement

☐ PTO Form 1449

☐ Copies of IDS citations

☐ Preliminary Amendment

☐ A copy of the Petition or Conditional Petition for Extension of Time in the prior application.

X Return Postcard

IF A CONTINUING APPLICATION:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application  
No. 10/260,815, filed September 30, 2002.

☐ Amend the specification by inserting before the first line the sentence: --This application is a of application Serial No. , filed , now allowed.--

☐ Cancel in this application original claims \_\_\_\_ of the prior application before calculating the filing fee.  
(At least the original independent claim must be retained for filing purposes.)

☒ The prior application is assigned of record to Medtronic, Inc.

☒ The Power of Attorney in the prior application is to: Medtronic, Inc.



AUG. 9. 2004 9:28AM

7635146982 MEDTRONIC

NO. 1700 P. 12/13



- ☐ This application claims the benefit of U.S. Provisional Application(s) Serial No.(s) \_\_\_\_\_, filed \_\_\_\_\_.
- ☒ Address all future correspondence to: Elisabeth L. Belden, Reg. No. 50,751  
Telephone: (763) 514-4083  
Customer No. 27581

FEE CALCULATION	No. of Claims Filed	Claims Included in Base Fee	No. of Extra Claims	Rate	Fee
Total Claims	7	20	= 0	x 18	0
Independent Claims	1	3	= 0	x 86	0
Multiple Dependent Claims	0		0	+ 290	0
Basic Filing Fee					\$770.00
TOTAL					770.00

- ☒ Charge Deposit Account No. 13-2546 in the amount of \$770.00 for the filing fee.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-2546. A duplicate of this transmittal is enclosed.

February 19, 2004  
Date

Elisabeth L. Belden  
Elisabeth L. Belden, Reg. No. 50,751  
Telephone: (763) 514-4083  
Customer No. 27581

**U.S. PATENT APPLICATION - RETURN POSTCARD RECEIVED****SECRETARY**Send Memo to Inventor

15.19.04 IDS  
17.19.04 Foreign Filing  
18.19.05 Convention Expiration

\_\_\_\_ U.S. patent application has been filed.

\_\_\_\_ Award check will issue in approximately 3 months.

**NOTE:** As of 07/01/98, award checks for filed applications will no longer be issued when the return postcard is received. Award checks will now be issued upon receipt of the filing receipt. As in the past, no checks are issued for provisionals, continuations or continuing prosecution applications.

The "RECEIVED" stamp of the United States Patent and Trademark Office Imprinted hereon acknowledges receipt of:

X Patent Application Transmittal  
X Specification: Total pages: 23; Spec. 20; Claims 2; Abstract 1  
X Drawings: Total sheets: 25 ☒ informal  
☒ Combined Declaration and Power of Attorney: unexecuted

Via Express Mail No.: EV 331 792 275435

FIRST NAMED INVENTOR OR APPLICATION IDENTIFIER: Timothy G. Laske et al.  
TITLE: IMPROVED PACING METHOD

P-10756.02  
ELB/sm

MAILED

*Feb. 19, 2004*

17302 U.S. PTO  
10/782420



021904

APPLN. PC/July 6, 1998

**RECEIVED**

MAR 04 2004  
LAW DEPARTMENT  
MEDTRONIC, INC.